

MEMO ENDORSED

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/7/2023

VIA ECF

December 7, 2023

Hon. Valerie E. Caproni
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Enrique Falcon v. JPMorgan Chase Bank N.A.*
Case No: 23-cv-8566 (VEC)

Dear Judge Caproni:

We represent the plaintiff in the above-named matter.

Please allow this letter to serve as plaintiff's first request to adjourn the initial pre-trial conference currently scheduled before Your Honor for December 8, 2023 at 10:00 a.m.

My office is fully aware of and understands Your Honor's rules which customarily require the request for an adjournment of a conference to be made at least 48 business hours prior to the conference absent an emergency. That being said, my office received the Rule 26 Response from defense counsel late this morning and has had a chance to review it. After review of this Rule 26 Response it has been determined by my office that we will be unable to represent the plaintiff in this matter and will be making a motion to be relieved as counsel.

In the interest of judicial economy my office would request in lieu of holding the conference scheduled for tomorrow that a briefing schedule be provided for my office to file the aforementioned motion to be relieved as counsel to protect the plaintiff's rights to obtain new counsel in this matter. I have conferred with defense counsel who consents to this request.

Very truly yours,



JOHN J. APPELL, ESQ.

JJA:ju

Application GRANTED. The Initial Pretrial Conference scheduled for Friday, December 8, 2023, is ADJOURNED sine die.

No later than **Friday, December 15, 2023**, Plaintiff's counsel must file its motion to withdraw. If Defendant does not consent to the withdrawal, the parties must also file, no later than **Friday, December 15, 2023**, a briefing schedule for the Defendant's opposition and Plaintiff's reply.

SO ORDERED.



12/7/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE